

The Bryan Daily Eagle

and Pilot

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BRYAN, TEXAS, WEDNESDAY EVENING, SEPTEMBER 25, 1912.

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HARDY NEWTON

CONTESTED ELECTION CASES DECIDED

Long Suspense in Cases of Interest to Whole County Ended This Morning.

Judge Scott announced yesterday afternoon that he would hand down his opinion in the contested election cases at 9 o'clock this morning. Accordingly the parties at interest, with their attorneys and a large crowd of interested spectators were present at the appointed hour to hear the decision.

The court, after discussing different phases of the case, declared J. Sidney Smith, the contestant in the case of J. Sidney Smith vs. J. H. McCullough, the democratic nominee for the office of tax assessor of Brazos county by a majority of 13. In the case of W. O. Holmes, contestant, vs. W. Wiprecht, for the office of tax collector, Mr. Wiprecht was declared the nominee by a majority of 3 votes.

In the matter of the Milligan box, where the presiding judge of the election failed to write his name on the back of the ballots, Judge Scott held this was not sufficient cause to throw out the box. This decision was in line with an opinion from the attorney general's office a few days ago covering this point.

In regard to the Fitts Store box, he said there were evidences of gross carelessness, but that intentional fraud had not been shown. The question was therefore narrowed down to the matter of illegal votes—votes of foreigners who did not declare their intention to become citizens as long as six months prior to the election. Of these there were twenty-seven which were declared illegal and therefore thrown out, making the result as stated above.

WILSON WON GREAT VICTORY IN NEW JERSEY

Prevented Nomination of Jas. Smith, Jr., for United States Senator. Wilson Candidates Won.

[By Associated Press.] Newark, N. J., Sept. 25.—Governor Wilson won a sweeping victory yesterday in the state primaries in his fight to prevent the nomination of former Senator James Smith, Jr., for United States senator. William Hughes, supported by Governor Wilson, carried the state by a plurality of nearly 20,000, winning every county except Essex, which is Smith's home and stronghold. Even Essex county gave Smith only about 4000 plurality.

Returns are very slow, but the indications are that Wilson candidates were nominated practically throughout the state.

ROOSEVELT ADDRESSED WATERWAYS CONVENTION

[By Associated Press.] Little Rock, Ark., Sept. 25.—Colonel Roosevelt in a speech before the deep waterways convention here today favored the federal government, through a commission, immediately taking up the matter of improving the waterways, deepening harbors and kindred enterprises. He favored the use of the machinery of the Panama canal plant for such work.

THE MONA LISA LOCATED AGAIN

[By Associated Press.] London, Sept. 25.—D. A. Vinel's great painting, the Mona Lisa, stolen from the Louvre in Paris a year ago, is reported by a Russian newspaper to be in a private gallery in St. Petersburg.

COLD WAVE IN NORTHWEST

[By Associated Press.] Wichita Falls, Texas, Sept. 25.—The temperature here was 48 this morning. Sleet with snow flurries was reported from Woodward, Okla., but it did not freeze here last night.

SNEED HABEAS CORPUS HEARING PROCEEDS

Brothers of Al G. Boyce, the Dead Man, on the Stand Today.

[By Associated Press.] Amarillo, Texas, Sept. 25.—Len Boyce, brother of Al G. Boyce, was the first witness in the Sneed habeas corpus hearing today. He was called by the defense and asked if a certain letter was in Al G. Boyce's handwriting. He replied: "Yes, sir, I think so."

Len Boyce said Al Boyce returned to Amarillo about two months ago. He said he believed Al was in Fort Worth two or three weeks before coming to Amarillo, but did not know how long Al was at Fort Worth. He had written to Al at Fort Worth under an assumed name which he could not now remember. He said Al was downtown in Amarillo on Tuesday before the killing and was unarmed.

Len Boyce testified that at the Fort Worth trial last winter Sneed told him that either he would kill Al or Al would kill him the first time they met.

Mrs. Sneed's letters to Al Boyce's father and to Henry Boyce, which were introduced in the first trial, were admitted again in evidence.

An interesting point was developed when Odell for the state declared the defense would not be able to prove the day of the killing was the first meeting of Sneed and Al Boyce. McLean for the defense replied that the burden of proof rested upon the state to show that the killing was not the first time they had met, indicating clearly that this unusual point was being relied on as a strong one by the defense.

W. H. Steele of Dallas, at whose home the Sneeds sometimes stopped, testified that Mrs. Sneed was in Fort Worth at a sanitarium last June. After she left Steele talked with Miss Bridges, the sanitarium nurse. He was not permitted to give this conversation, but testified when he told it to Sneed the latter became greatly excited.

NEGRO LYNCHED AT GRAND CANE, LA.

[By Associated Press.] Shreveport, La., Sept. 25.—Sam Johnson, a half-witted negro who last month killed Percy Alexander, a white man, here, was taken from deputies last night by fifty masked men at Grand Cane, La. The deputies came here empty handed, and it is presumed the negro was lynched, as the mob disappeared with him. The deputies were bringing him here from Alexandria, La.

CARD FROM J. H. McCULLOUGH

To the Citizens of Brazos County:

Judge Scott has rendered his opinion in the contested election case, involving the office of tax assessor of Brazos county, which office I now hold, and for which I was a candidate in the recent primary. His decision reverses the result of the primary as declared by the democratic executive committee of the county, and declares my opponent, Mr. J. Sidney Smith, the nominee of the party for said office.

I accept the ruling of Judge Scott, believing he was actuated by his best judgment in an honest interpretation of the law and the evidence in the case. In this connection I wish to thank my many friends who have so loyally stood by me for their interest in this contest, and for the many favors they have shown me in the past.

I do not believe I was defeated by the honest intention of a majority of the voters of the county, but rather by technicalities of the law.

I shall retire from the office of tax assessor with malice toward none, and indulge the hope that I have the good will of the whole people of the county. I shall continue to reside here, and will strive at all times to discharge every duty of citizenship to the very best of my ability.

Respectfully,
J. H. McCullough.
Bryan, Texas, Sept. 25, 1912.

THE WEATHER.

Wednesday, Sept. 25, 1912.
Tonight and Thursday generally fair; colder Thursday.

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TO ELECTRIFY THE INTERURBAN

Meeting Held at College to Discuss Situation—Proposition Made. Some Stock Subscribed.

For some time the service on the interurban has been very irregular and unsatisfactory, owing to the difficulty experienced in receiving repairs from the factory. All repairs have to be ordered from Three Rivers, Mich., and sometimes it takes three months to get some part which is absolutely necessary to operate a car. The service has become so uncertain that it is a hardship to workmen who reside in Bryan, and residents at the college. Ways and means for improvement have been in contemplation and to this end Colonel Milner called a meeting of the residents of the campus Monday night and invited Mr. Gammill and Mr. Hewit to be present. The meeting was well attended, and after Colonel Milner had called it to order and stated the object, he called for Mr. Gammill, who made a statement and a proposition. The statement was that he wanted to electrify the system, but did not have sufficient funds to do so. It would cost \$22,000 to put in the necessary equipment and buy power. This would include two up-to-date electric pay-as-you-enter cars, rail bonding, poles, trolley and

feed wires. If the residents of the campus will subscribe to \$11,000 of the additional stock he will himself take \$11,000 and at once contract for the equipment.

Mr. Hewit was asked to furnish a financial statement of the earnings for the first two years and did so, which shows the investment to be a very profitable one. A subscription was started by Colonel Milner and met with such enthusiastic support that before the close of the meeting a motion prevailed asking Colonel Milner to appoint a committee of three to canvass the campus and secure the subscription to all the stock. The colonel appointed Messrs. J. M. Carson, L. M. Hewit and Prof. Robert F. Smith as such committee and they are now at work. They hope to close the list up this week.

This new move does not affect the extension to Allen Academy and the Ursuline Convent, except that the extension will be put in and equipped for electric service from the beginning, rather than for the gasoline motor service heretofore in use.

MOVEMENT FOR PEACE IN MEXICO

[By Associated Press.] Mexico City, Sept. 25.—A new movement was made today to secure peace in northern Mexico. President Madero and his cabinet instructed the minister of war to offer amnesty to the followers of Pasqual Orozco in case they lay down their arms.

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